

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02091-TJK**

FIX THE COURT v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 09/06/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

FIX THE COURT

represented by **Elizabeth France**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-2465
Fax: (202) 871-6523
Email: beth.france@americanoversight.org
TERMINATED: 10/22/2019
LEAD ATTORNEY

Hart W. Wood
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 873-1743
Fax: (202) 871-6523
Email: hart.wood@americanoversight.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Austin Ridgely Evers
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 869-5245
Fax: (202) 871-6523
Email: austin.evers@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Elizabeth J. Shapiro**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 514-5302
Fax: (202) 616-8470
Email: Elizabeth.Shapiro@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kuntal Virendra Cholera
U.S. DEPARTMENT OF JUSTICE
1100 L. St. NW
Washington, DC 20005

(202) 305-8645
 Email: kuntal.cholera@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laura Ann Hunt
 U.S. DEPARTMENT OF JUSTICE
 Civil Division, Federal Programs Branch
 1100 L Street NW
 Washington, DC 20005
 (202) 616-8337
 Fax: (202) 616-8470
 Email: Laura.A.Hunt@usdoj.gov
TERMINATED: 03/05/2020

Date Filed	#	Docket Text
09/06/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5675591) filed by FIX THE COURT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Evers, Austin) (Entered: 09/06/2018)
09/06/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by FIX THE COURT (Evers, Austin) (Entered: 09/06/2018)
09/06/2018	<u>3</u>	NOTICE of Appearance by Elizabeth France on behalf of FIX THE COURT (France, Elizabeth) (Entered: 09/06/2018)
09/06/2018	<u>4</u>	WITHDRAWN PURSUANT TO NOTICE FILED ON 9/24/2018..... MOTION for Preliminary Injunction by FIX THE COURT (Attachments: # <u>1</u> Memorandum in Support Memorandum in Support, # <u>2</u> Declaration Declaration of Gabe Roth, # <u>3</u> Exhibit Declaration Exhibit A, # <u>4</u> Exhibit Declaration Exhibit B)(Evers, Austin); Modified on 9/26/2018 (tth). (Entered: 09/06/2018)
09/06/2018		Case Assigned to Judge Timothy J. Kelly. (zsth) (Entered: 09/07/2018)
09/07/2018	<u>5</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 09/07/2018)
09/10/2018		MINUTE ORDER: It is hereby ORDERED that Plaintiff shall promptly demonstrate that it has effected service on the federal agency defendant as required under Federal Rule of Civil Procedure 4(i)(2). If Plaintiff has properly served Defendant, it is further ORDERED that the parties shall meet, confer, and file a joint briefing schedule for Plaintiff's <u>4</u> Motion for Preliminary Injunction by September 12, 2018. Signed by Judge Timothy J. Kelly on 9/10/2018. (lctjk3) (Entered: 09/10/2018)
09/10/2018		Set/Reset Deadlines: Joint Briefing Schedule due by 9/12/2018. (kh) (Entered: 09/10/2018)
09/10/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/10/2018. (Answer due for ALL FEDERAL DEFENDANTS by 10/10/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/10/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 9/10/2018 (France, Elizabeth) (Entered: 09/10/2018)
09/12/2018	<u>7</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of U.S. DEPARTMENT OF JUSTICE (Shapiro, Elizabeth) (Entered: 09/12/2018)
09/12/2018	<u>8</u>	NOTICE of Appearance by Laura Ann Hunt on behalf of U.S. DEPARTMENT OF JUSTICE (Hunt, Laura) (Entered: 09/12/2018)
09/12/2018	<u>9</u>	PROPOSED BRIEFING SCHEDULE re Order,, Set Deadlines, by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 09/12/2018)

09/13/2018		MINUTE ORDER: It is hereby ORDERED that Defendant shall file its opposition to Plaintiff's <u>4</u> Motion for Preliminary Injunction by September 17, 2018, and Plaintiff shall file its reply in support of its Motion by September 19, 2018. Signed by Judge Timothy J. Kelly on 9/13/2018. (lctjk3) (Entered: 09/13/2018)
09/14/2018	<u>10</u>	Joint MOTION to Amend/Correct Order,, Set Deadlines, by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Hunt, Laura) (Entered: 09/14/2018)
09/15/2018		MINUTE ORDER granting <u>10</u> Joint Motion to Amend Briefing Schedule. It is hereby ORDERED that Defendant shall file its opposition to Plaintiff's <u>4</u> Motion for Preliminary Injunction by September 24, 2018, and Plaintiff shall file its reply in support of its Motion by September 26, 2018. Signed by Judge Timothy J. Kelly on 9/15/2018. (lctjk3) (Entered: 09/15/2018)
09/17/2018		MINUTE ORDER: The parties shall meet, confer, and submit a joint filing by September 20, 2018, proposing a date and time for a hearing on Plaintiff's <u>4</u> Motion for Preliminary Injunction. Signed by Judge Timothy J. Kelly on 9/17/2018. (lctjk3) (Entered: 09/17/2018)
09/20/2018	<u>11</u>	Joint STATUS REPORT <i>and Proposed Schedule for Hearing Pursuant to September 17, 2018 Minute Order</i> by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 09/20/2018)
09/21/2018		MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a hearing on Plaintiff's <u>4</u> Motion for Preliminary Injunction on September 28, 2018, at 11:00 a.m. in Courtroom 11. The Court finds that holding the hearing on this date will not prejudice the parties given their joint proposal. See LCvR 65.1(d). Signed by Judge Timothy J. Kelly on 9/21/2018. (lctjk3) (Entered: 09/21/2018)
09/24/2018	<u>12</u>	Joint STATUS REPORT by FIX THE COURT. (Attachments: # <u>1</u> Exhibit A)(France, Elizabeth) (Entered: 09/24/2018)
09/24/2018		MINUTE ORDER: Upon review of the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that, as agreed to by the parties: (1) Defendant shall process 100 documents per week, excluding non-substantive image files (such as logos or signatures); (2) Defendant shall process the records that the Department of Justice's Office of Legal Policy has identified as potentially responsive in the priority order described in an email sent by Plaintiff's counsel to Defendant's counsel on September 21, 2018, at 4:31 p.m.; and (3) Defendant shall promptly begin producing non-exempt, responsive materials and will make further productions as appropriate, consistent with the agreed upon processing schedule, until production is complete. IT IS FURTHER ORDERED that Plaintiff shall promptly file a Notice of Withdrawal of its <u>4</u> Motion for Preliminary Injunction, and the parties shall file a joint status report by November 5, 2018. Signed by Judge Timothy J. Kelly on 9/24/2018. (lctjk3) (Entered: 09/24/2018)
09/24/2018	<u>13</u>	WITHDRAWAL of Motion by FIX THE COURT re <u>4</u> MOTION for Preliminary Injunction filed by FIX THE COURT . (France, Elizabeth) (Entered: 09/24/2018)
09/25/2018		MINUTE ORDER: In light of Plaintiff's <u>13</u> Notice of Withdrawal of Motion for a Preliminary Injunction, the hearing currently scheduled for September 28, 2018, is hereby VACATED. Signed by Judge Timothy J. Kelly on 9/25/2018. (lctjk3) (Entered: 09/25/2018)
11/05/2018	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 11/05/2018)
11/06/2018		MINUTE ORDER: Upon review of the <u>14</u> Joint Status Report filed by the parties, it is hereby ORDERED that the parties shall file another Joint Status Report by February 5, 2019. Signed by Judge Timothy J. Kelly on 11/6/2018. (lctjk3) (Entered: 11/06/2018)
02/05/2019	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 02/05/2019)
02/07/2019		MINUTE ORDER: In light of the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by March 4, 2019. Signed by Judge Timothy J. Kelly on 2/7/2019. (lctjk3) (Entered: 02/07/2019)

03/04/2019	<u>16</u>	Joint STATUS REPORT by FIX THE COURT. (France, Elizabeth) (Entered: 03/04/2019)
03/05/2019		MINUTE ORDER: In light of the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by April 5, 2019. Signed by Judge Timothy J. Kelly on 3/5/2019. (lctjk3) (Entered: 03/05/2019)
04/05/2019	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 04/05/2019)
04/08/2019		MINUTE ORDER: In light of the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by June 7, 2019. Signed by Judge Timothy J. Kelly on 4/8/2019. (lctjk3) (Entered: 04/08/2019)
06/07/2019	<u>18</u>	Joint STATUS REPORT by FIX THE COURT. (France, Elizabeth) (Entered: 06/07/2019)
06/10/2019		MINUTE ORDER: In light of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by August 5, 2019. Signed by Judge Timothy J. Kelly on 6/10/2019. (lctjk3) (Entered: 06/10/2019)
08/05/2019	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 08/05/2019)
08/06/2019		MINUTE ORDER: In light of the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by September 9, 2019. Signed by Judge Timothy J. Kelly on 8/6/2019. (lctjk3) (Entered: 08/06/2019)
09/09/2019	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hunt, Laura) (Entered: 09/09/2019)
09/10/2019		MINUTE ORDER: Upon consideration of the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by November 1, 2019. Signed by Judge Timothy J. Kelly on 9/10/2019. (lctjk3) (Entered: 09/10/2019)
10/22/2019	<u>21</u>	NOTICE of Appearance by Hart W. Wood on behalf of FIX THE COURT (Wood, Hart) (Entered: 10/22/2019)
10/22/2019	<u>22</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FIX THE COURT. Attorney Elizabeth France terminated. (France, Elizabeth) (Entered: 10/22/2019)
10/24/2019	<u>23</u>	Joint MOTION for Extension of Time to File <i>Joint Status Report</i> by FIX THE COURT (Attachments: # <u>1</u> Text of Proposed Order)(Wood, Hart) (Entered: 10/24/2019)
10/28/2019		MINUTE ORDER granting, for good cause shown, Parties' <u>23</u> Joint Motion for Extension of Time. It is hereby ORDERED that the parties shall file a joint status report by November 8, 2019. Signed by Judge Timothy J. Kelly on 10/28/2019. (lctjk3) (Entered: 10/28/2019)
11/08/2019	<u>24</u>	Joint STATUS REPORT by FIX THE COURT. (Wood, Hart) (Entered: 11/08/2019)
11/08/2019		MINUTE ORDER: Upon consideration of the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by January 10, 2020. Signed by Judge Timothy J. Kelly on 11/8/2019. (lctjk3) (Entered: 11/08/2019)
01/10/2020	<u>25</u>	Joint STATUS REPORT by FIX THE COURT. (Wood, Hart) (Entered: 01/10/2020)
01/10/2020		MINUTE ORDER: Upon consideration of the parties' <u>25</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by March 31, 2020. Signed by Judge Timothy J. Kelly on 1/10/2020. (lctjk3) (Entered: 01/10/2020)
03/05/2020	<u>26</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kuntal Virendra Cholera on behalf of U.S. DEPARTMENT OF JUSTICE Substituting for attorney Laura Hunt (Cholera, Kuntal) (Entered: 03/05/2020)
03/31/2020	<u>27</u>	Joint STATUS REPORT by FIX THE COURT. (Wood, Hart) (Entered: 03/31/2020)

04/01/2020		MINUTE ORDER: Upon consideration of the parties' <u>27</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by May 4, 2020. Signed by Judge Timothy J. Kelly on 4/1/2020. (lctjk3) (Entered: 04/01/2020)
05/04/2020	<u>28</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Cholera, Kuntal) (Entered: 05/04/2020)
05/05/2020		MINUTE ORDER: Upon consideration of the parties' <u>28</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by July 3, 2020. Signed by Judge Timothy J. Kelly on 5/5/2020. (lctjk3) (Entered: 05/05/2020)
07/02/2020	<u>29</u>	Joint STATUS REPORT by FIX THE COURT. (Wood, Hart) (Entered: 07/02/2020)
07/02/2020		MINUTE ORDER: Upon consideration of the parties' <u>29</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by September 3, 2020. Signed by Judge Timothy J. Kelly on 7/2/2020. (lctjk3) (Entered: 07/02/2020)